

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	<u>3500 PROTECTIVE ORDER</u>
	:	
- v. -	:	S9 19 Cr. 536 (PKC)
	:	
ABEL MONTILLA,	:	
	:	
Defendant.	:	
	:	
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Upon the application of the United States of America, Damian Williams, United States Attorney for the Southern District of New York, by and through Juliana Murray, and Ryan Finkel Assistant United States Attorneys, of counsel, for an order precluding the dissemination of material produced pursuant to 18 U.S.C. § 3500 and/or *Giglio v. United States*, 405 U.S. 150 (1972) ("3500 Material"), and providing additional protections to a designated subset of the 3500 Material which has been classified as "Attorney's Eyes Only" or "Attorney's Ears Only" (collectively, the "Attorney's Eyes Only 3500 Material"), and based on the Court's independent review,

IT IS HEREBY ORDERED that (1) defense counsel must destroy or return to the Government all 3500 Material (and any copies thereof) at the conclusion of the trial of this matter or when any appeal has become final; (2) the defense and the defendant

are precluded from disseminating any of the 3500 Material to anyone beyond the defendant, defense counsel, and any paralegal or staff employed by the defense; and (3) the defendant is precluded from taking or keeping any copies (paper or electronic) of the 3500 Material (except for 3500 Material produced for law enforcement agents) with them into any jail facility, whether before, during, or after trial; except that the defendant may review copies of the 3500 Material in the possession of defense counsel or any paralegal or staff employed by the defense, when in the presence of defense counsel or any paralegal or staff employed by the defense.

IT IS FURTHER ORDERED that any 3500 Materials having been clearly designated as "Attorney's Eyes Only 3500 Material," including any copies thereof or excerpts therefrom, or any information contained therein, shall not be disclosed to or possessed by the defendant, and may be disclosed only to defense counsel and to any paralegal or staff employed by the defense, until three days before the scheduled start of trial. Thereafter, Attorney's Eyes Only 3500 Material shall be afforded the same protections as 3500 Material.

IT IS FURTHER ORDERED that the defendant, defense counsel, and any paralegal or staff employed by the defense are precluded from publicly disclosing or disseminating the identity

of any cooperating witnesses, civilian witnesses, or victim witnesses referenced in the Attorney Eyes' Only 3500 Material until three days before the scheduled start of trial. In the event that counsel for the defendant believes earlier disclosure to a defendant of a particular witness's name is necessary, counsel is permitted to seek relief from this protective order upon written motion.

Dated: New York, New York
September 6, 2022



THE HONORABLE P. KEVIN CASTEL
UNITED STATES DISTRICT JUDGE